

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON MAY 7, 2007
(Approved May 21, 2007)

The Board of Supervisors held a regular monthly meeting on Monday, May 7, 2007. Present for the meeting were supervisors W. Atlee Rinehart, Robert F. Preston, John Doering, Jr., Timothy Roland and Rosemarie C. Miller. Also in attendance was John A. Koury, Jr., Township Solicitor.

An executive session was held at 5:30 p.m. to discuss litigation, sewer easements and meet with the auditors concerning the 2006 audit and the status of the 2007 books.

Mr. Rinehart called the meeting to order at 7:42 p.m. and the pledge was recited.

1. MINUTES

Minutes of the April 16, 2007 Workshop Meeting

Mr. Roland moved to approve the second draft minutes of the April 16, 2007 workshop meeting as presented by Mr. Preston with the addition of the description of the resolution approvals found in paragraphs five and six of Page 1 and under *Walley Tract* header to read "Walley, Frederick, Trumbauer and Rinehart. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Minutes of the April 30, 2007 Zoning Taskforce Meeting

Mr. Doering moved to approve the second draft minutes of the April 30, 2007 zoning taskforce meeting as presented by Mr. Preston with the removal of the statement in the first paragraph under *Public Comment* noting that John Becker was the Public Works employee driving the vehicle that caused the ditch in front of Mr. Coine's property. Mr. Preston seconded the motion. Mrs. Miller abstained due to her absence at the April 30, 2007 zoning taskforce meeting. The motion carried with a 4-0-1 vote.

2. PUBLIC COMMENT

Walter Woessner of 164 Schoolhouse Road noted correction to be made to the April 9, 2007 zoning taskforce meeting minutes which to correct the attendees list.

Lori Kolb of 67 Brownstone Drive inquired if the use of township personnel for the sewer system maintenance instead of hiring an outside firm is cost savings to the township and the Board agreed it was. Mrs. Kolb inquired about the status of the benchmarking and Mr. Rinehart stated benchmarking is still being investigated.

N. Lance Parson of 79 Brownstone Drive inquired about the possibility of his well being disturbed due to the blasting. Mr. Preston noted the well could turn muddy and then clear up in about a month. Mr. Parson noted concerns of the well getting cracked and Mr. Preston noted if that does happen the contractor has insurance to replace the well. Mr. Parson inquired about the lending options for sewer hookups and Mr. Rinehart noted he would provide information from different banks.

Maria Kardick of 70 Springhouse Lane noted concerns of inconsistencies in the sewer information found on the website and design plans being provided. Mrs. Kardick inquired

when she is able to hook up to the sewer. Mr. Preston noted that she could hook up once the Board of Supervisors issues a letter to direct connection on or after a specific date and on or before a specific date (90 days apart). It was requested that the information that was mailed to residents in the Phase II sewer be posted on the website. Mrs. Kardick asked why the tapping fee was increased. Mr. Preston noted the tapping fee was based on bids received and the anticipated number of customers whereas the previous tapping fee was based upon Engineer's estimates. The bids awarded for construction of the sewer system by East Coventry Township was \$4,136,000 as compared to an engineer's estimate of \$5,000,000. The cost of the North Coventry Township Wastewater Treatment Plan (WWTP) expansion, to accommodate East Coventry Township, bids awarded approximately \$5,500,000 as opposed to the engineer's estimate of approximately \$3,500,000. This results in a net additional cost of \$1,136,000 to East Coventry Township sewer users.

Sally Kolb, business owner in the township, noted that several customers were concerned about the letter that was circulated noting that the township can't make payroll. Mrs. Kolb inquired what could be done about such information being distributed. Mr. Preston stated the Board did not put the information out but noted the township is having difficulties. Mr. Rinehart noted the township is making payroll at this time.

Missy King, Republican Committee woman, noted the information concerning township finances distributed was not paid for by the Republican Party.

Roger Kolb of 768 Ebelhare Road stated that a couple township employees left recently and inquired how the township is going to get good employees and keep good employees. Mr. Rinehart noted that as Chairman of the Board he is trying to address such issues.

Andrew Hoffman of Boy Scout Troop 406 presented an Eagle Scout Project to build an incinerator to burn flags and then bury the ashes at the Revolutionary War Cemetery. Andrew noted the estimated project cost is \$2,000-\$3,000, all to be paid for by donations. It was noted that digging in the cemetery could un-earth historical objects and stop or delay the project and increase costs beyond reasonable. Mr. Roland noted concerns of the potential emissions that could be caused by the burning of polyester or nylon flags.

Mr. Rinehart moved to authorize signature of the project papers with the condition the incinerator be placed on an existing slab and if the incinerator can not be constructed on the existing slab an alternate plan and location be provided to the Board. Mrs. Miller seconded the motion. Mr. Roland voted no. The motion carried with a 4-1-0 vote.

Mr. Woessner noted concerns of the stone being left in the yards and right-of-ways by the sewer contractors. Mr. Preston noted the contractors would clean up the stones.

Gail Brown, Chair, Historical Commission, noted she handed out information to the Board regarding the Wineberry Estates sewage module and the Pennsylvania Department of Environmental Protection (PADEP) guidelines/regulations/requirements for completing the "Planning Modules".

Mrs. Brown inquired why the part-time summer employee was not approved by the Board of Supervisors and Mr. Rinehart noted the individual had been an employee of the township the

prior year. Mrs. Brown inquired about potential financial problems and Mr. Doering noted that there are accounting issues and they are being addressed and controls are to be put in place. Mr. Preston noted that all hires should be approved by the Board of Supervisors.

Steve Funk of 4 Tisa Lane inquired about the sewer easement. Mr. Preston noted the easement and appraisal amount is being reevaluated and noted that Tisa Lane has been put the end of the project.

Betty Borzik of 1838 East Cedarville Road inquired why the sewers are mandatory and noted she does not want nor need public sewer. Mr. Preston noted it is public law. The Township Solicitor noted the law requires that properties with 150' of the sewers would be required to connect.

Mark Pristach of 93 Brownstone Drive inquired how long the blasting company responsible for damage to wells and Mr. Preston noted the contractor's insurance information should be checked and the contractor guarantees work for one year after substantial completion.

Mr. Doering moved to accept the Martin sewer easement agreement and authorize requisition for the amount of \$12,046.25. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Doering moved to accept the Serbin sewer easement agreement and authorize requisition for the amount of \$34,840.00. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

3. REPORTS

Reports from Various Departments and Committees

Mr. Roland moved to approve the reports from the various departments and committees. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote. There was a review of the Engineer's Report concerning the three items listed below from the May 7, 2007 Township Engineer's Status/Activity Report.

Item 2. NPDES Phase II Stormwater Permit for MS-4's (5222.45)

The Board authorized the Township Engineer to proceed with the Engineer's e-mail of April 26, 2007.

Item 4. Phase II Sewer Construction (5223.17)

See below for Martin tree replacement.

Item 5. 10-Year Capital Projects Program

See below for status of approval.

Mr. Rinehart moved to authorize the Township Engineer to amend the specifications as recommended by the Township Engineer and Mr. Breitenstein, administrator of the PADEP MS-4 program, to provide for the proper identifying information on inlet nameplates. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Roland moved to authorize the Township Engineer to do whatever is necessary to comply with Year 4 MS4 Program and authorize to proceed with Year 5 requirements. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

There was a discussion regarding review of grinder pumps and the request by the Township Engineer to implement a \$150.00 review fee for grinder pump reviews.

Mr. Preston moved for the Board to direct the Township Engineer to select a grinder pump specifications for insertion into the township sewer specifications and the township is hereby directed to purchase one of these selected pumps and provide the necessary information to the residents so they may decide if they want to purchase East Coventry Township approved pump or another pump. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston moved for the Board to direct the Township Engineer to prepare a change order to the contract to provide for 115 trees of up to 2" caliber to be installed by the contractor after the construction is complete on the Martin property. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

The cash available in the Capital Fund is to be provided at the May 21, 2007 workshop meeting to determine if sufficient funds are in the "Capital Fund" to authorize and pay for the 10-Year Capital Plan for East Coventry Township to be prepared by ARRO, the Township Engineer.

Mr. Rinehart moved to reject all bids for asphalt paving material as recommended by Mr. Peter Marshall, temporary manager and piggyback on the state program which is less expensive than the bids received. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston moved to have the contractor remove the shed on the sewer easement at the McLean residence at 150 Buckwalter Road. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote. The Township Engineer is to contact the property owner and contractor relaying the above directive.

Timesheets

There was a discussion regarding the timesheet to be used for the sewer expenditures. Mr. Preston noted the time spent on sewers must be verified with timesheets that provide a description of work performed so monies may be invoiced by the General Fund to the Sewer Operating Fund properly and handled by requisition to the Sewer Operating Fund. Mr. Preston recommended Quickbooks timesheets be utilized.

The Public Works Department will begin utilizing the proper timesheets. Pump station logs prepared by R.F. Preston, Supervisor, will be kept and provided to the Board of Supervisors on a monthly basis upon completion.

Mr. Roland excused himself from the meeting at 10:10 p.m.

4. SUBDIVISION AND LAND DEVELOPMENT

Project: Wineberry Estates (Maack Property) Applicant: Gambone Development Group
Mr. Glen Kelczewski of Conner and Smith Engineering, Inc. and Mr. Stephen Kalis, counsel for the applicant, were present.

Mr. Doering moved to approve the Wineberry Estates sewage facilities planning module acknowledging that they are proceeding at risk per the Historical Commission letter of May 1, 2007. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Kalis noted the recent changes concerning the use of the stone wall on the Wineberry Estates project. It was requested the proposed incorporation of the stone be placed on the plans and Mr. Kalis noted that is difficult and costly. Guidelines and notes are to be placed on the record plan to address the stone wall.

Project: Hidden Acre Estates Applicant: AMCC Properties
Mr. Doering moved to approve the Hidden Acre Estates sewage facilities planning module. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Project: Coventry Self Storage Applicant: Ronald Elliott
Mr. Doering moved to approve Escrow Release No. 9 for Coventry Self Storage for the amount of \$13,767.40. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Doering moved to authorize the appropriate documents be prepared to increase the financial security for the Coventry Self Storage project. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Project: Green Acres Applicant: Joseph and Patricia Kandler
Mr. Doering moved to grant waiver from Section 403.1.B of the Subdivision and Land Development Ordinance to allow the side lot line separating Lots 5 and 6 to not be perpendicular to the ultimate right-of-way for Rehoboth Avenue. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Doering moved to grant waiver from Section 403.1.D of the Subdivision and Land Development Ordinance to allow the depth of Lot 6 to be less than its width; specifically, a lot depth/width; specifically, a lot depth/width ratio of 0.85. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston moved to reject waiver from Section 418.2 of the Subdivision and Land Development Ordinance requiring sidewalks to be installed along Bethel Church Road (sidewalks are to be constructed on Bethel Church Road). Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Doering moved to grant waiver from Section 418.2 of the Subdivision and Land Development Ordinance to allow sidewalk to be installed on only one side of Rehoboth Avenue. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston moved to grant waiver from Section 134.2D(6) of the Stormwater Management Ordinance to allow finished grade on the Post Construction Stormwater Management Plan to

be shown at 2' contour intervals. Mr. Doering seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Doering moved to grant waiver from Section 121.4D of the Stormwater Management Ordinance to allow the roof drain pipe for Lot 4 to convey rainwater to a detention basin (Basin 1) in lieu of a retention basin. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Doering moved to grant waiver from Section 121.5.B(8) of the Stormwater Management Ordinance to allow Inlet A5 to have a modified Type 'M' inlet top, as opposed to a standard Type 'M' inlet top with the condition to include grading on side holes.. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston moved to grant waiver from Section 428.9 of the Subdivision and Land Development Ordinance to allow 6 existing trees with greater than 25" DBH to be removed with the condition that removed trees shall be replaced at a 4:1 ratio. Mr. Doering seconded the motion. Mrs. Miller voted no. The motion carried with a 3-1-0 vote.

Mr. Preston moved to grant waiver from Section 428.9 and 426.9.B(1) of the Subdivision and Land Development Ordinance to allow disturbance of construction to occur within 10' of and up to the drip line for approximately 65 existing trees with following conditions:

- The tree preservation and maintenance note, as proposed in Item 2 of the applicant's 1/26/07 Supplemental Waiver Request Letter, shall be modified to reflect a 36-month maintenance period (as opposed to 18 months) beginning at the date of acceptance of dedication, and a requirement that the condition of existing trees be documented within 30 days prior to the start of construction.
- Each lot shall be deed restricted to allow the Township the right of entry to inspect tree conditions at the end of the 36-month tree maintenance period, and further allow damaged trees, as determined by the Township, to be replaced.
- The applicant shall post escrow as part of the dedication process, in an amount acceptable to the Township, to cover the cost of the tree inspection at the end of the 36-month tree maintenance period.
- Any trees lost shall be replaced at a 2:1 ratio for up to 25" DBH, and at a 4:1 ratio for trees over 25"DBH.
- The requirements of SALDO §429.9 (4, 5, & 6) shall be added as notes to the Reforestation Plan.

Mr. Doering seconded the motion. The motion carried with a 4-0-0 vote.

Project: Coventry Glen Applicant: Heritage Building Group
Discussion regarding NV Homes request to the Township to return Coventry Glen permit fees for units not constructed to date will be discussed in executive session due to potential litigation.

5. OTHER BUSINESS

Sanitary Sewer Easement

The appropriate signatures were affixed to the Heritage-Creekview sewer easement agreements.

Pennsylvania One Call System, Inc.

Mr. Preston moved to approve the Pennsylvania One Call System membership. Mr. Doering seconded the motion. The motion carried with a 4-0-0 vote.

Fire Police

Mr. Rinehart moved to approve Fire Police request for Park Day. Mr. Doering seconded the motion. The motion carried with a 4-0-0 vote.

Historical Commission

Members of the Historical Commission presented the bids for the printing of the 2008 Historical Calendar. Mr. Doering moved to award printing of the 2008 Historical Calendar to the low bidder, Zap Digital. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

6. DISCUSSION ITEMS

7. ADDITIONAL INFORMATION BROUGHT BEFORE THE BOARD

Mrs. Miller requested the police remove house for sale signs on Route 724 because they are a sight distance hazard. The Police Chief indicated the road crew removed such signs.

Ray Kolb noted the Sojourn would be arriving in Towpath Park on June 5, 2007.

8. ADJOURNMENT

The Board of Supervisors recessed into executive session at 11:20 p.m. to discuss potential litigation concerning NV Homes permit fee return request. The monthly meeting reconvened at 11:40 p.m.

Mr. Doering moved to authorize the Township Solicitor to examine the township files in regards to the NV Homes letter dated April 30, 2007 regarding Coventry Glen permit fees. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

The monthly meeting adjourned at 11:42 p.m.

Respectfully submitted,

John Doering, Jr.
Township Secretary